



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
REGULAR MEETING
March 21, 2011

Approved

Attending:

Board of Supervisors

Catherine A. Tomlinson, Chairperson
Kevin C. Kerr, Vice-Chairperson
Guy A. Donatelli, Member

Township Administration

Cary B. Vargo, Township Manager
Gwen A. Jonik, Township Secretary
Cheryl Neri, Assistant Treasurer
John DeMarco, Police Chief
Al Gaspari, Codes Administrator
Mike Heckman, Public Works Director
Dave Leh, P.E., Gilmore & Associates
John E. Good, Esq., Township Solicitor

Mrs. Tomlinson called the meeting to order at 7:00 p.m., led the salute to the flag and offered a moment of silence.

Mrs. Tomlinson announced the Byers Group II Conditional Use Hearing will occur after the regular meeting agenda this evening.

Approval of Minutes

Mr. Donatelli moved, seconded by Mr. Kerr, to approve as presented the minutes of the February 22, 2011 Board of Supervisors Meeting. The Motion carried unanimously.

Approval of Payments

Mr. Kerr moved, seconded by Mr. Donatelli, to approve the payments to all vendors listed March 20-26, 2011. Mrs. Tomlinson asked Mr. Vargo for an update regarding the reduction in tipping fees to the landfill. Mr. Vargo advised that in the 6 months that the new Trash/Recycling contract has been in effect, there's been an approximate 42% reduction in tonnage going into the landfill, saving close to \$100,000 in tipping fees. This is a good sign that residents are cooperating and the goals of the program are being realized. The Motion to approve the payments carried unanimously.

Treasurer's Report

Mr. Donatelli moved, seconded by Mr. Kerr, to receive the Treasurer's Report. Mr. Vargo briefly reviewed the Report: the Township audit has been received and Finance is reviewing the Report; outstanding engineering receivables are steadily decreasing; the Capital budget and projects will now be segregated from the general budget for improved project tracking. The Motion carried unanimously.

Supervisor's Report

Mrs. Tomlinson read the following Emergency Service Provider reports for February 2011: Ludwigs Corner Fire Company – 8 fire calls, 11 QRS calls; Lionville Fire Company – 9 fire calls in January, 8 fire calls in February; East Brandywine Fire Company – 0 calls; Glenmoore Fire Company – 2 fire calls; Uwchlan Ambulance Corps – 39 calls; TeenAid – no report received. Mrs. Tomlinson read the following calendar: March 30, 2011 Yard Waste Collection – use biodegradable bags or open containers (no lids) as this collection gets composted; April 9, 2011 9:00-3:00 Household Hazardous Waste Collection, including computers, CAT Pickering Campus in Phoenixville; April 11-15, 2011 Street Sweeping throughout the Township;

April 12, 2011 4:00 p.m. Joint Boards and Commissions Workshop; April 13, 2011 Yard Waste Collection;; April 17-20, 2011 Annual Township Supervisors State Conference in Hershey; April 25, 2011 7:00 p.m. Board of Supervisors Meeting; April 27, 2011 Yard Waste Collection.

Township Engineer's Report

Dave Leh reported he has completed a construction punchlist for The Mews in Byers Station and a dedication punchlist for Greenridge Phase II – Dorian Court. Mrs. Tomlinson questioned the status of a storm water basin near Fellowship Fields. Mr. Leh advised a pipe was clogged and once it is cleaned out the basin should function properly. Don Carlson commented the Township should confirm that the Greenridge wastewater treatment facility roadway is supposed to include the wearing course before dedication.

Building / Codes Report

Al Gaspari reported 18 permits were issued in February, totaling \$3,647.00 in fees. Mr. Gaspari reported we've been receiving quite a few park/field requests through the Township's website as it is very easy to work with; Garrett Sullivan will be installing a flagpole at Fellowship Fields for his Eagle Scout project; and the front steps of the Township Office will be repaired this spring.

Police Chief's Report

Chief DeMarco reported 634 complaints were handled in February and he has been working on securing governmental and private Grants to purchase body armor.

Public Works Report

Mike Heckman reported the Department has been patching potholes, cleaning up trees and repairing signs that were damaged during the recent snow and wind storms, responding to 9 snow/ice events, painting the new public works facility, and performing general maintenance on the trucks. Mr. Heckman advised that potholes can also be reported via the website.

Administration

Mr. Vargo explained that the recently purchased Public Works facility includes a 4-bay concrete floor that needs a protective coating so it doesn't deteriorate from the usual wear/tear of the trucks. An epoxy floor coating installation bid was advertised and 3 vendors submitted proposals which were opened March 17, 2011. The results follow: Mid-Atlantic \$17,756; Diama-Shield \$17,920; and FastTrak Coating \$18,241. Diama-Shield was the lowest bidder who submitted all the required documents and the Board was asked to award the contract to them. Mr. Donatelli moved, seconded by Mr. Kerr, to award the contract to Diama-Shield at \$17,920. The Motion carried unanimously.

Mr. Vargo explained that Berkheimer Outsourcing invoices our trash and sewer accounts and in an effort to expedite our response to account inquiries, an Agreement has been prepared authorizing the Township to have real-time "read only" access to our utility accounts. This would cost \$600/year for two users. Mr. Donatelli asked that the Agreement be modified to remove the "auto renewal" – he prefers an affirmative action type renewal instead. Mr. Donatelli moved, seconded by Mr. Kerr, to approve the Agreement with Berkheimer with the understanding that the renewal language would be modified as described above. The Motion carried unanimously.

Open Session

Don Carlson made comment about enforcing the temporary sign regulations as we know the real estate "For Sale" signs will spring up in the very near future.

Byers Group II – Conditional Use Hearing

Mrs. Tomlinson turned the gavel over to John Good, Esq. at 7:20 p.m. to conduct the Conditional Use Hearing. Mark Hagerty, Court Stenographer, was in attendance to record the proceedings.

Mr. Good summarized the Byers Group II Application, which requests modification to the existing Conditional Use Approval in order to permit the demolition of the barn on Ewing Tract Lot 261 (Evans Barn) and build a new structure for the Community Center instead of refurbishing the barn.

Mr. Good entered the following Exhibits into the Record on behalf of the Board of Supervisors:
B-1 – Byers Group II Conditional Use Application including a letter from the Homeowners Association Board Members and a plot plan of the proposed Community Center
B-2 – Proof of Publication
B-3 – Proof that the property was posted
B-4 – Township Planning Commission's March 10, 2011 meeting minutes draft

Mr. Good explained that the Board would hear testimony this evening and they have 45 days to announce their decision.

Byers Group II (Toll Brothers and Orleans Homebuilders) was represented by Alyson Zarro, Esq. of Riley Riper Hollin & Colagreco and Tom Kessler, Division Vice President --Toll Brothers. Ms. Zarro read the Applicant's Exhibits into the Record and proceeded to question Mr. Kessler about the project, which includes demolition of the existing barn in order to change the location of the clubhouse on the property to provide a larger swimming pool than what was initially approved. A March 4, 2011 drawing delineated the proposed community facilities on Lot 261 – a Clubhouse, swimming pool, baby pool, tot lot play area and picnic area.

Mr. Kerr confirmed the Planning Commission's recommendation that this Lot's land development and/or building permit plans be reviewed by the Planning Commission. Mr. Kessler advised that they would return to the Planning Commission if there are storm water management or other engineering issues that need to be resolved. Fully engineered plans would be submitted with the building permit application. Toll Brothers hopes they'll be able to begin construction this spring.

Mr. Kerr reiterated that the Evans farmhouse and springhouse are to be properly maintained and Mr. Kessler advised the Township Historic Commission was going to provide guidance for making the appropriate repairs to those structures.

Several citizens made comments, Mr. Good closed the Hearing, but the Record will be kept open to incorporate the Planning Commission minutes once approved. The Board has 45 days to render their Decision.

Adjournment

There being no further business to be brought before the Board, Mr. Donatelli moved, seconded by Mr. Kerr to adjourn the meeting at 7:56 p.m. So moved.

Respectfully submitted,

Gwen A. Jonik
Township Secretary